

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.9611 of 2006

Dated: 08.06.2006

Between:

G. Subba Reddy, S/o Krishna Reddy, R/o Konijedu village, Tangutur Mandal,
Prakasam District.

.... PETITIONER

AND

The Andhra Pradesh State Road Transport Corporation, rep. by
its Regional Manager, Prakasam Region, Ongole, Prakasam
District.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.9611 of 2006

Order:

By this writ petition, the petitioner is seeking a direction to the respondent-Corporation to consider his case for appointment to the post of Conductor on contract basis in the vacancies notified under Notification dated 07.03.2006.

The main contention advanced by the learned counsel for the petitioner is that the petitioner is a displaced employee, and as per the orders dated 06.10.2004 of this Court passed in earlier Writ Petition No. 22141 of 2001, the petitioner is entitled for consideration for appointment to the post of Conductor on contract basis against the vacancies notified on 07.03.2006 under the displaced persons quota.

On the other hand, learned Standing Counsel for the respondent-Corporation submits that pursuant to the orders of this Court passed earlier in Writ Petition No.22141 of 2001, the case of the petitioner for absorption as Conductor was considered and rejected by the respondent-Corporation, by proceedings dated 27.11.2004, for the petitioner failed to establish that he is a displaced employee. He further submits that the present notification dated 07.03.2006 was issued calling for applications for appointment to the posts of Conductors by way of direct recruitment and not for persons who were displaced, and that the selection process has also already been over. He further submits that the petitioner is over-aged, and hence, he is not eligible for consideration to the post of Conductor.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Corporation, and perused the material on record.

The case of the petitioner is that he is entitled for consideration for appointment to the post of Conductor on contract basis against the vacancies notified on 07.03.2006 under the displaced persons quota. However, it is the contention of the learned Standing Counsel for the respondent-Corporation that the present notification dated 07.03.2006 was issued for selection of Conductors by way of direct recruitment, and not for appointment of persons, who were displaced. It is the further case of the respondents that the petitioner has not established that he is a displaced person, and even if the petitioner establishes that he is a displaced person, yet he is not entitled for consideration for appointment as Conductor under the present notification, for it was issued for selection of Conductors by way of direct recruitment and not for selection of persons, who were displaced. This apart, it is the further contention of respondent-Corporation that the petitioner is over aged, and therefore, he is not eligible for consideration to the post of Conductor.

A perusal of the A.P.S.R.T.C. Recruitment Regulations – 2004 shows that for selection to the post of Conductor by way of direct recruitment a candidate must be above 21 years of age and below 35 years of age as on 1st July of the year in which the recruitment is made. In the instant case, the notification is dated 07.03.2006 and the petitioner, has himself showing his age as 36 years, filed the present writ petition on 01.05.2006. Thus it is clear that petitioner, whose age is 36 years, is over-aged by one year, and in terms of the terms and conditions of the recruitment, he being aged more than 35 years, is not eligible. When the petitioner is over-aged by one

year, he cannot claim to consider his case for appointment to the post of Conductor, and more so when the notification was issued for selection by way of direct recruitment and not for persons, who were displaced. Further, the selection process is said to have already been over, nothing survives for adjudication in the writ petition.

The writ petition is devoid of merit, and the same is accordingly dismissed.
No costs.

N.V. RAMANA, J

Date: 08.06.2006

Nsr/Ksr